

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VINCENT DANIEL HOPPER A.K.A.
ANTOLIN ANDREW MARKS,

Plaintiff,

v.

MICHAEL MELENDEZ,

Defendant.

Case No. C05-5680RBL

ORDER

This Bivens action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. The only remaining defendant is Michael Melendez. The remaining claims address the constitutionality of the telephone system available for plaintiff. All other defendants and all other claims were dismissed at summary judgment. See, (Dkt. # 129 and 132).

Mr. Marks now litigates under a sanction as a result of improper filings. As part of that sanction documents filed by Mr. Marks are submitted under seal for court review. Mr. Marks has filed two documents since the court's last order (Dkt. # 177 and 178). Document 177 complains of access to library services. This action is stayed and Plaintiff does not need to access those services at this time. The document is **UNSEALED** but no further court action will be taken on this filing. Document 178 is a reply

1 to the defendants response to a court order. Mr. Marks pleading is ordered **UNSEALED**.

2 The clerk's office is directed to send copies of this letter to plaintiff and to counsel for defendants.

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4 DATED this 28 day of September, 2007.

5 /S/ J. Kelley Arnold
6 J. Kelley Arnold
United States Magistrate
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